

REMARKS

The present amendment is submitted in response to the Office Action entered on July 3, 2007. A three month petition for extension of time is included herein extending the deadline for submitting a response to January 3, 2008. Claims 3, 5, 7 and 9-11 are pending. No amendments are made herein. Reconsideration and reexamination in view of the arguments submitted herewith is respectfully requested.

Embodiments of the present invention are related to automatic movement of operators (the operators may be, for example, faders of a mixer or a similar apparatus). For example, according to embodiments associated with claim 3, the operators of an apparatus may be grouped into one or more groups. Each of the operators of a group may be associated with a forward or reverse direction. When a user moves one of the operators of the group manually, the apparatus may move all the others automatically. The operators in the group that are assigned to the same direction as the one moved by the user are moved in the same direction as the operator moved by the user. The operators in the group that are assigned in the opposite direction as the one moved by the user are moved in the reverse direction.

Thus, for example, suppose a group consists of ten operators labeled 1-10. Operators 1-5 may be assigned to the forward direction and operators 6-10 may be assigned to the reverse direction. Suppose a user moves operator 2 up. As noted, operator 2 is assigned to the forward direction. As a result of the movement of operator 2, all other operators assigned to the forward direction will be moved up as well (these are operators 1, and 3-5). On the other hand, all operators assigned to the reverse direction will be moved in the opposite direction. Thus, operators 6-10 will be moved down.

Thus, it can be seen that embodiments of the invention provide that movement of one operator will result in some operators being automatically moved in the same direction as the moved operator and some operators being automatically moved in the opposite direction at the same time.

Initially, the Examiner stated that Suzuki does not disclose this “opposite movement” feature (see Examiner’s October 17, 2006, Office Action, page 2). Instead the Examiners used Santos to show this feature. In previous Office Action response, Applicants traversed Santos. In the presently pending July 3, 2007 Office Action, the Examiner removed the citation to Santos and stated that Suzuki does in fact teach the “opposite movement” feature.

Applicants respectfully disagree. Applicants respectfully submit that Suzuki does not disclose operators automatically moving in opposite directions. Instead, that Suzuki discloses a system in which faders are automatically moved only in the same direction as a fader moved by a user. In other words, Suzuki discloses a system in which a user is allowed to move an operator in one direction and all other operators move in the same direction. Suzuki does not disclose a system in which manual movement of one operator in one direction results in some operators automatically moving in that direction and others in the opposite direction, as recited by the claims.

As noted above, in her last July 3, 2007 Office Action, the Examiner disagreed. More specifically the Examiner stated that Figure 5 column 4, lines 34-38 of Suzuki disclose that when one fader is moved another fader is displaced in the same direction while another fader is displaced in the opposite direction. Applicants have reviewed the cited text (as well as column 4, lines 25-60, also cited by the Examiner) with the utmost care.

Even after a most detailed review, Applicants must disagree with the Examiner. Applicants must respectfully insist that the cited section discloses that when a fader is moved by a user all other faders automatically move in the same direction. The only exception is when a fader reaches its maximum possible highest (or lowest) position (e.g., 100% in Fig. 5). In that case, a fader may stop moving. But nowhere does Suzuki disclose a fader that automatically moves in the opposite direction as a fader moved by a user.

In the text cited by the Examiner, Suzuki recites that “[i]n this manner, by manually operating one of the fader operators 40 in a group, the other fader operators 40 in the same group are compulsorily displaced following the manually displaced fader operator 40 ...” (column 4, lines 25-

28). Thus, Suzuki makes it clear that all operators follow the manually moved operator (i.e., go in the same direction) and do not go in the opposite direction.

The text cited by the Examiner as disclosing operators automatically moving in different directions is provided below in its entirety:

An example of the above described operation starting from the state shown in FIG. 5 is as follows (in FIG. 5, the scale is indicated in percent):

(i) When the fader operator 40 of the channel CH1 is manually displaced to 70%, the fader operator 40 of the channel CH2 is compulsorily driven to 100% and the fader operator 40 of the channel CH3 to 50% respectively in an interlocking motion with the displacement of the fader operator 40 of the channel CH1.

As noted in the first sentence, the operation starts from the state of Fig. 5. Fig. 5 of Suzuki shows that initially the Ch1 fader is at 50%. The text above states that that fader is manually displaced to 70%, therefore it is moved up 20%. Fig. 5 also shows that the CH2 fader is initially at 80%. The text above states that the CH2 fader is compulsorily driven to 100%. Thus, it is automatically raised by 20%. Fig. 5 shows that the initial position of the CH3 fader is 30%. The text above states that that fader is moved to 50%. Again, this fader goes up by 20%.

Thus, the text cited by the Examiner describes all faders moving in the same direction as the fader that was manually moved (i.e., up). It does not disclose any faders moving in an opposite direction as a manually moved fader. Cases (ii)-(vi) (discussed in column 4, lines 40-68) show the same behavior -- when a fader is manually moved, all other faders are moved in the same direction.¹ There is no disclosure of a fader moving in the opposite direction of a manually moved fader.

Therefore, Applicants respectfully submit that Suzuki does not disclose any fader that automatically moves in a direction opposite to a manually moved fader. Therefore, Suzuki does not

¹ There is a slight exception in that when a fader reaches its maximum highest or lowest point, it stops moving. However no fader moves in a direction opposite of the manually moved fader.

disclose "a level control section that, ... performs control to actually move a respective position of each of other said operator in the one group, set to a same operational direction as the operated operator, in a same direction ..., and performs control to actually move a respective position of each of other said operator in the one group, set to an opposite operational direction from the operated operator, in an opposite direction" as recited by claim 3. Nor does Suzuki disclose the similar recitations of claims 5 and 7.

Therefore, it is respectfully submitted, that claims 3, 5 and 7 are patentable in view of the cited art. Claims 9-11 are patentable because they depend from patentable claims 3, 5 and 7.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

If, for any reason, the Examiner finds the application other than in condition for allowance, Applicants request that the Examiner contact the undersigned attorney at the Los Angeles telephone number (213) 892-5790 to discuss any steps necessary to place the application in condition for allowance.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, Applicants petition for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing Docket No. 393032039100.

Dated: January 3, 2007

Respectfully submitted,

By 

Hristo Vachovsky

Registration No.: 55,694

MORRISON & FOERSTER LLP

555 West Fifth Street, Suite 3500

Los Angeles, California 90013

(213) 892-5200